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Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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Working Group on Firearms
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Challenges and good practices in the criminalization, investigation and prosecution of illicit firearms trafficking, and measures to enhance international cooperation in criminal matters, including through effective tracing of firearms in ongoing investigations

Monitoring illicit trafficking flows in firearms at the national, regional and global levels

Challenges and good practices in the prevention of the illicit manufacturing of firearms

Activities of the United Nations Office on Drugs and Crime to promote and support the ratification and implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime

Background paper prepared by the Secretariat

I. Introduction

1. The present background paper was prepared pursuant to resolution 6/2 adopted by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, in which the Conference requested the Secretariat to inform the Working Group about the activities of the United Nations Office on Drugs and Crime (UNODC) to assist the Conference in promoting and supporting the implementation of the Firearms Protocol, coordination with other relevant international and regional organizations, best practices in the areas of training and

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capacity-building and awareness-raising strategies to prevent and combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

2. In its resolution 6/2, the Conference noted with appreciation the assistance provided by UNODC to States through its Global Firearms Programme (GFP), and requested UNODC, in order to support ratification of, accession to and the implementation of the United Nations Convention against Transnational Organized Crime (UNTOC) and its Firearms Protocol, to promote knowledge- and awareness-raising activities, to assist Member States, upon request, in the adoption of national laws and strategies on firearms, to continue to facilitate, whenever possible, technical assistance to States consistent with needs identified by those Member States and to promote inter-agency and international cooperation.

3. Furthermore, the Conference requested UNODC to continue developing technical assistance tools, in particular in the areas identified by the Working Group on Firearms, in close consultation with Member States and, where appropriate, drawing on the expertise of the International Criminal Police Organization (INTERPOL) according to its statutory rules.

4. Finally, the Conference requested UNODC, through its GFP, to assist Member States, upon request, in strengthening their capacities to investigate and prosecute illicit manufacturing of and trafficking in firearms and related forms of transnational organized crime, inter alia, through practical workshops and exchanges of experience among investigators and prosecutors on the application of the Convention and its Firearms Protocol.

5. The present background paper provides information about UNODC's activities for the period 2012-2014 and was prepared to enable the Working Group to perform its mandated functions.

II. Background

6. During the reporting period, several developments at the international level have contributed to advance the global efforts to combat the illicit trafficking in and manufacturing of firearms, their parts and ammunition. Of notable importance was the conclusion in April 2013 of the United Nations Conference to Negotiate an Arms Trade Treaty and the adoption by the General Assembly of a legally binding Arms Trade Treaty (ATT).

7. The ATT covers nine categories of conventional arms, including small arms and light weapons, whereas the Firearms Protocol covers firearms, their parts and components and ammunition. The ATT focus on measures to regulate the licit trade and prevent and eradicate the illicit trade in conventional arms and to prevent their diversion to the illicit market or for unauthorized end use including the commission of terrorist acts (Preamble, paragraph 2). The Firearms Protocol focuses on the criminal justice responses to the illicit manufacturing and trafficking in firearms, their parts and components and ammunition, and to their negative impact on socioeconomic development, security and well-being of people, countries and regions (Preamble, paragraph 1).

8. As the only global legally binding instrument on firearms, the Firearms Protocol establishes a framework for States to control and regulate licit manufacturing of arms and arms flows, prevent their diversion into the illegal circuit and facilitate the investigation and prosecution of related offences. By addressing both the legal and illegal aspects of firearms, the Protocol sets out a comprehensive regime that regulates the licit flows of arms, as well as preventing and combating trafficking without hampering legitimate transfers.

9. The ATT establishes a framework which targets national export control authorities to take appropriate measures on the basis of commonly identified criteria to control arms export and to prevent and control their diversion into the hands of organized crime or terrorist groups. Although the ATT does not introduce specific regulatory requirements to control the licit arms trade, nor specific enforcement measures such as criminalization provisions, it builds on the acquis of the Firearms Protocol and other global and regional instruments and tools developed in the area of arms control, human rights and international humanitarian law, organized crime and terrorism. The complementary relationship between these two instruments is also acknowledged in the preambular part of the ATT, which explicitly recalls, among others, the Firearms Protocol as a relevant reference.

10. The relevance and usefulness of the Firearms Protocol to prevent and combat illicit manufacturing of and trafficking in firearms is demonstrated by the steady increase of the number of accessions, which have reached 109, representing an increase of 18 countries since the last meeting of the Working Group on Firearms held in May 2012.

III. Activities of UNODC to promote and support the ratification and implementation of the Firearms Protocol

A. The Global Programme on Firearms

11. In 2011, UNODC launched its Global Firearms Programme (GFP) with the aim to raise awareness, promote adherence to and support the implementation of the Firearms Protocol by providing technical and legislative assistance to Member States. The Programme focuses on the following areas:

(a) Awareness-raising and promotion of the ratification of the Firearms Protocol;

(b) Development of specialized tools;

(c) Legislative development to strengthen the legal and regulatory framework on firearms and promote regional harmonization of laws and practices;

(d) Capacity-building, training and technical support to reduce the availability of illegal firearms, strengthen the regulatory framework on firearms, especially in marking, record-keeping, transfer controls, collection and destruction of firearms;

(e) Training and capacity-building with a view to strengthening criminal justice responses and to promote effective international cooperation and information exchange for combating illicit trafficking in firearms and related offences;

(f) Increased knowledge on transnational firearms trafficking patterns and enhanced civil society engagement.

12. The programme was initially funded by the European Commission and covered 15 countries in West Africa, Latin America and the Caribbean. In 2013, the Government of Japan provided funds to UNODC to extend its firearms control activities to the Sahel region, with a stronger focus on the collection, destruction, marking and record-keeping of firearms and establishing national capacity for monitoring and analysis of the illicit trafficking in firearms.

B. Legislative Support

13. At its first meeting, the Working Group recommended that the Conference of the Parties urge States Parties to review and strengthen national firearms-related legislation in a manner consistent with the Protocol and to consider making use of the UNODC Model Law against Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition in this respect. It also recommended States to exchange information at the regional and international level on national approaches to the use of definitions and nomenclature in the area of firearms. To this end, the Working Group proposed that the Conference should urge States Parties to adopt national and regional action plans for the implementation of the Firearms Protocol, taking into account, where possible, economic and social factors impacting upon firearm-related crime.

1. Legislative tools

Model Law against the Illicit Manufacturing of and Trafficking in Firearms

14. UNODC developed the Model Law against the Illicit Manufacturing of and Trafficking in Firearms as a tool to assist State parties in translating the treaty language of the Organized Crime Convention and the Firearms Protocol into domestic legal provisions, and to assist them in strengthening their legislative regimes on firearms in a manner consistent with the Firearms Protocol. The Model Law's broad range of provisions covers both the preventive firearms control measures such as manufacturing, record-keeping, deactivation, international transfers of firearms and related brokering activities, and the penal and procedural measures derived from the Firearms Protocol and the Transnational Organized Crime Convention. The Model Law also complements the Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[1] and was translated into all official languages of the United Nations and disseminated to all relevant organizations.

15. The Model Law was used as a reference for the development of legislative and regulatory modules of the International Small Arms Control Standards (ISACS) that provide clear, practical and comprehensive guidance to practitioners and policymakers on fundamental aspects of small arms and light weapons control. The Model Law was further used by UNODC in the process of providing legislative support to the countries from Latin America and West Africa as a harmonization tool for their new legislation on firearms control.

[1] United Nations publication, Sales No. E.05.V.2.

16. In 2013, bearing in mind recent developments and trends in national legislation, a number of enhancements and updates were introduced to the Model Law, following the positive feedback received from selected legal experts, practitioners and professors from different countries and legal systems.

17. UNODC also carried out a comparative review of the ATT and the Firearms Protocol. The results of the review identified the need for an update of the existing firearms publications, with a view to providing information about the differences and similarities between the two international instruments.

Ratification Kit for the Firearms Protocol

18. In order to raise awareness and support the increase of the number of State parties to the Firearms Protocol, UNODC made numerous presentations at conferences, meetings and side-events on the relevance of the Protocol for combatting illicit trafficking in and manufacturing of firearms. UNODC also published a Ratification Kit[2] to explain and facilitate the process of ratification of the Protocol. The Kit includes an explanatory note on the main requirements and notification obligations under the Protocol, and contains also alternative template formats for the ratification and deposit of the instruments.

Comprehensive training curriculum

19. In order to facilitate the implementation of the Firearms Protocol, the GFP initiated, with the valuable support of a number of recognized firearms experts from different countries and regions, the development of a comprehensive firearms training curriculum in modular form. The overall purpose of the training curriculum is to facilitate the provision of standardized and tailor-made assistance to key stakeholders involved in firearms control, such as criminal justice practitioners, legal drafters and policymakers, institutions responsible for arms transfer controls, as well as the civil society and private sector. The training materials would enhance the understanding and knowledge of these actors regarding firearms issues and promote more effective international cooperation to facilitate the investigation and prosecutions of firearms-related crimes.

20. In developing the training curriculum, UNODC reached out to external experts and relevant government agencies, to collect relevant material and expertise, and organized two expert group meetings. At the first meeting, experts discussed the outline and the topics to be included in a comprehensive firearms curriculum. Following the meeting, UNODC revised and streamlined the module description and worked closely with recognized experts to draft the content of the training materials. Partnerships were also established with INTERPOL, the Canadian Crown Prosecution Service and the Firearms Program of the Royal Canadian Mounted Police (RCMP), whose expertise contributed to the development of the training materials. Cross-referencing of UNODC and other tools and training materials, including ISACS, was encouraged in order to ensure consistency and coherence.

21. While the finalization, publication and translation of the curriculum is still ongoing, the content of the draft modules have already been used as a basis for the delivery of various training courses organized under the GFP.

[2] United Nations publication, Sales No. V.12-56168-October 2012 - 400.

2. Legal drafting support

22. UNODC developed standard operational procedures for the delivery of legislative assistance to countries wishing to harmonize their legislation with the Firearms Protocol and other relevant international or regional instruments. As a first step, countries are encouraged to undertake a legislative self-assessment, using a standardized questionnaire, developed by the GFP, in English, French and Spanish. The questionnaire assisted national authorities to navigate through the legal obligations contained in the Firearms Protocol, and allowed them to identify the main gaps and challenges in the area of legislative development and institutional restructuring.

23. As part of the self-assessment process, UNODC also collected all relevant national legislation on firearms. These materials were used by UNODC at the second stage of the legislative support process, where UNODC produced legislative assessment reports, including gap analysis and recommendations for drafting specific provisions to be incorporated in the national legislation on firearms.

24. The legislative assessments for selected countries in Latin America and West Africa showed varying levels of compliance and implementation of the international legal regime on firearms. Some countries lacked or had significant gaps in their firearms legislation, which made the legislation practically inoperable. Others had firearms legislation which was very outdated and required amendments. Where a country had scattered legal texts, it was recommended that a single comprehensive firearms law be adopted to streamline the existing provisions under one coherent umbrella. Other countries had modern legislation that was in full compliance with the Firearms Protocol and other regional instruments, but they had not enacted the required implementing legislation (decrees and regulations) to ensure its enforcement. Other countries, while having a relatively well-developed regulatory framework in some areas, lacked the necessary criminalization and enforcement provisions.

25. The vast majority of States only needed to reinforce specific parts of their national legislation, such as the provisions related to brokering. Only a few countries had a fairly well-developed normative framework on firearms control in place and did not require important reforms or tailored legislative support. In all cases, however, it appeared that the normative assessment needed to go beyond national firearms laws, and to include relevant provisions of criminal and procedural codes and special laws and treaties, in order to establish a connection between firearms trafficking-related crimes and possible links to other serious crimes.

26. These findings were of particular relevance, since the Working Group, in its recommendations to the Conference emphasized the need for States parties that have not yet done so to review and strengthen their criminal legislation and to introduce the criminal offences envisaged in the Firearms Protocol, including appropriate sanctions that are commensurate with the nature and gravity of the offence.

27. Furthermore, UNODC supported the establishment of drafting committees with the mandate to review, comment and validate the recommendations of the legislative assessments, as well as consider other inputs from international and regional partners.

28. Parallel to these efforts, the GFP has also supported and promoted regional harmonization efforts. For that purpose, UNODC developed a regional legislative comparative analysis and organized two regional meetings in 2012 in Dakar, Senegal, and Buenos Aires, Argentina, in cooperation with the relevant regional partners — ECOWAS and MERCOSUR. A third meeting was held in Dakar, Senegal, in February 2014, with countries from the Sahel region and West Africa. The objectives of the meetings were to further raise knowledge and awareness of the Transnational Organized Crime Convention and its Firearms Protocol, and the legislative requirements for its full implementation; to present a regional cross-analysis on the status of implementation of the Firearms Protocol, the regional conventions on firearms (CIFTA in Latin America and the ECOWAS Convention in West Africa), based on the national self-assessments and accompanying desk reviews; to promote regional harmonization efforts; to identify specific legislative developments and technical assistance needs for each country; and to facilitate and promote South-South cooperation.

29. During the first two regional meetings, the participants developed regional road maps to implement the Protocol and further promote subregional harmonization and cooperation, with the support of UNODC. In West Africa, the draft regional plan was shared with the governments during subsequent country visits, and formed the basis for discussions on national priorities and follow-up activities. In South America, the seminar findings and the road map were sent to all focal points by mail and were additionally presented and discussed during the subsequent MERCOSUR GTAM meeting held in November 2012, in Brasilia. Based on the above, and on individual assessment work, UNODC developed national roadmaps for action, in consultation with beneficiary countries, which identify priorities and relevant activities required to facilitate the implementation of the Firearms Protocol.

30. The final step of the legislative support process included individualized follow-up assistance and legal drafting support where UNODC provided feedback and observations to several countries on their current draft laws before their final submission to parliament. In this stage of the process, UNODC also facilitated dialogue with the national legislative bodies, with a view to raising awareness of the need for legislative development.

31. Since 2012, UNODC collected national firearms laws, regulations and related legislation of 20 countries and national self-assessments or studies from 17 countries. The Office completed the legislative assessment reports with gap analysis and recommendations and submitted them for comments to 15 countries and provided tailored legislative advice to 8 countries. As a result, 4 countries acceded to the Firearms Protocol, 10 countries reviewed and assessed their domestic legislation on firearms, and 2 countries adopted new firearms legislation. Another 6 countries have developed draft laws, which are currently under discussion in their respective legislatures.

C. Capacity-building and training to strengthen the criminal justice responses to illicit firearms trafficking and promote effective international cooperation and information exchange

1. Capacity-building support

32. At its first meeting in May 2012, the Working Group highlighted the need for states to strengthen the capacity of all relevant government and state authorities, including law enforcement, customs, prosecution and judiciary authorities to effectively detect, prevent and combat firearms-related offences. Furthermore, the Working Group recommended to the Conference to encourage States parties to ensure full implementation of firearms legislation, inter alia by placing priority on the investigation, prosecution and adjudication of firearms-related criminal cases.

33. As a result, UNODC prioritized the strengthening of investigative and prosecution capacities to deal with complex transnational cases of firearms trafficking and their links to organized crime and terrorist activities. This issue was reflected in the comprehensive training curriculum which UNODC used as a foundation for the development of specialized training courses. This comprehensive training curriculum contains specialized modules on complex criminal investigations of firearms trafficking and related criminal activities.

34. Since 2012, UNODC developed a training course on investigation and prosecution of firearms trafficking and an outline for a training course for firearms transfer control authorities. The course is designed for criminal justice practitioners and it provides a background of the core skills required to investigate trafficking in firearms and other firearms-related offences. The course also offers criminal justice practitioners the knowledge, understanding, aptitudes and abilities needed to conduct investigations, trace firearms, engage in multilateral cooperation and prepare cases for successful prosecution. Participants learn methods and practical skills which they can employ and share in their workplaces.

35. Through this training course, UNODC aims to enhance national capacities to counter the trafficking in firearms and support law enforcement agencies in their fight against transnational organized crime. The course contains a mixture of classroom based lessons, case studies, plenary discussions and practical knowledge that facilitate learning in accordance with legislative requirements and in line with national and international standards.

36. Through the development of this course, UNODC's objective is to define, develop and promote excellence and improvements in standards at both national and international levels. The aims of the course also include the following: to reinforce and build upon past experiences in firearms investigations; to present new knowledge and skills relating to investigating and prosecuting trafficking in firearms and its links to organized and other serious crimes; to provide guidelines on information exchange regarding transnational firearms investigations; to underline the importance of effective interagency coordination and cooperation; and to promote and facilitate international law enforcement and judicial cooperation, including cooperation in the tracing of firearms.

37. During the reporting period, UNODC delivered training courses on investigation and prosecution of firearms trafficking to more than 90 criminal

justice practitioners in Ghana and Senegal in 2013 and in Bolivia in 2014, in cooperation with the national commissions on small arms and light weapons control, and secured the participation of members of civil society organizations as observers. Additional courses are planned for both regions in the coming months. The feedback received from national practitioners has been overwhelmingly positive, which has encouraged the Office to continue its efforts and to seek further financial support to intensify training activities.

38. For the design and delivery of the training course, UNODC cooperated with relevant partners, such as the International Criminal Police Organization (INTERPOL), the Argentinian Federal Prosecution Service, the Argentinian National Arms Registry (RENAR), the Brazilian Federal Police, UNHCHR's Regional office in Chile, and its Offices in Bolivia and Paraguay, and drew on the longstanding expertise from recognized NGOs, such as Viva Rio in Brazil. The aim of these joint ventures is to contribute to the dissemination and promotion of the active use of existing tools and cooperation channels, such as INTERPOL's new iARMS initiative, as well as to address important cross-cutting themes such as the human rights dimension of criminal investigation and prosecution of complex crimes.

2. Cooperation and information exchange

39. The Working Group recognized, in its recommendations to the Conference, the importance for States parties to exchange relevant information, including tracing information, enabling them to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. In this regard, the Working Group also recommended that States parties create mechanisms for the exchange of information on registration of firearms and databases on seizures of firearms, as well as information on trends and emerging modalities of organized crime related to illicit trafficking in firearms, its parts, components and ammunition.

40. UNODC focused on the promotion of international cooperation in criminal matters, including for the purpose of investigating and prosecuting cases on illicit trafficking in firearms, by including this topic as a part of its capacity-building components. UNODC explored the relevance of cooperation and information exchange received, the means to achieve it and included the existing best practices in a module of the firearms training curriculum. The topics were also included as a central theme in the training course on investigation and prosecution of firearms trafficking by focusing on its practical aspects.

41. Furthermore, UNODC promoted the need for cooperation and information exchange through regional and international meetings of practitioners. In November 2013, UNODC supported the regional meeting on international cooperation in Praia, Cabo Verde, where 15 countries from West Africa sent high-ranking prosecutors and representatives of their central authorities. The regional meeting was an example of synergies between UNODC's global programmes (GFP and Global Programme on Organized Crime) and their efforts to utilize their resources in an efficient manner. The participants discussed the challenges in prosecuting trafficking in firearms in the region stressing the need for producing relevant and admissible evidence. Participants also presented the links between firearms trafficking and other serious crimes and provided options for the

future actions of the prosecutors and representatives of the West African Central Authorities in combating trafficking in firearms.

42. In line with the recommendations of the Working Group, UNODC organized a regional conference in Dakar, Senegal, in February 2014, where the Office shared a concept note for the establishment of a regional information exchange mechanism, which will focus, in particular, on case-based exchanges of good practices and lessons learned, with particular regard to transnational cases of firearms trafficking and complex criminal investigations involving firearms. UNODC plans to organize two regional meetings in 2014-2015 to formalize the establishment of this information exchange mechanism.

43. Through its ongoing cooperation with MERCOSUR, UNODC has also contributed to promote and encourage further regional cooperation and information exchange. On several of these regional meetings, UNODC has been invited and has informed and shared with Member States relevant information on the status of the GFP implementation, the outcome of the regional legislative harmonization seminar held in Buenos Aires and the regional action plan developed by its participants, the findings of the regional cross analysis, as well as the objectives and proposed methodology for the conduct of a regional and a global study on firearms trafficking.

3. Increased knowledge on transnational firearms trafficking patterns and enhanced civil society engagement

Study on firearms trafficking

44. Understanding the dimension of firearms trafficking at national and regional levels has an important impact at policy and operational levels, both for Member States and the international community. Understanding the broader perspective of firearms trafficking contributes to the identification of global trafficking patterns, which can be exceptionally valuable information for law enforcement and judicial operators.

45. At its first meeting, the Working Group on Firearms recognized the relevance for States to adopt measures and standard procedures to allow for seizing, identification, confiscation and destruction of illicitly manufactured and trafficked firearms, their parts and components and ammunition, and, at the same time, underscored the relevance of appropriate record-keeping methods for seized, confiscated, destroyed or deactivated firearms. The Working Group also recommended States parties to create mechanisms for the exchange of information on registration of firearms and to establish databases on seizures of firearms, as well as information on trends and emerging modalities of organized crime related to illicit trafficking in firearms, their parts, components and ammunition.

46. UNODC is conducting the study requested by the Conference in resolution 5/4, with a view to monitoring the illicit trafficking flow of firearms. The implementation of the study and the accompanying technical assistance support provided by UNODC to requesting States are aimed at the implementation of the Working Group recommendations.

47. The background paper entitled "Challenges and good practices in countering the illicit manufacturing of and trafficking in firearms, their parts and components

and ammunition, and measures to facilitate the implementation of the Firearms Protocol"[3] provides further information on the relevance of monitoring illicit trafficking flows, the objectives and methodological aspects of the study, the challenges and good practices encountered to facilitate States' participation in the study, as well as UNODC's progress on the development of the study.

Activities to support the development of the study

48. Throughout the reporting period, UNODC has been engaged in a series of activities aimed at raising knowledge and awareness of the study, facilitating Member States' efforts to collect and submit the required data, and providing, where necessary, accompanying technical and advisory assistance.

49. UNODC has lead awareness-raising initiatives to widely disseminate the information on the conduct of the study to Member States, including through the holding of several side events in the margins of the twenty-second session of the Commission on Crime Prevention and Criminal Justice. UNODC organized meetings with each regional group in Vienna, providing extensive information on the ongoing data collection exercise, encouraging Member States to participate in the study, and soliciting the prompt appointment of national focal points. In several cases, additional follow up was provided via phone or e-mail. UNODC has also been seeking the support of its field office network, as well as of partner organizations, such as MERCOSUR and the OSCE, to widely disseminate the information on the study.

50. Through its Global Firearms Programme, UNODC is also providing ad hoc technical advice and support to Member States (primarily countries from West Africa, the Sahel region and South America), to strengthen their national data collection and analysis capacity. This has so far resulted in the inclusion, in national training activities and regional seminars, of dedicated sessions to address data collection and analysis challenges, in addition to practical exercises on record keeping, identification and tracing of firearms. By way of example, UNODC organized, from 25-27 February 2014, a regional meeting in Dakar, Senegal, in the framework of Strategy for countries in West Africa and the Sahel region, which was attended by representatives from eleven Member States. Among others, the meeting provided detailed information and training on accessing the Firearms Trafficking dedicated web portal and handling the data collection process with the two related study questionnaires. The seminar enabled operational as well as strategic exchanges between representatives of the National Commissions on Small Arms and Light Weapons, and criminal justice experts from Benin, Burkina Faso, Chad, The Gambia, Ghana, Guinea, Mali, Mauritania, Niger, Nigeria, Senegal and Togo. Furthermore, from 24-28 March 2014, UNODC organized a national training course on investigation and prosecution of illicit firearms trafficking and related crimes, in La Paz, Bolivia, which was attended by 40 representatives from institutions responsible for firearms control.

51. On the technical side, UNODC is working in collaboration with the United Nations Development Programme (UNDP) and, separately, with the National Arms Registry (RENAR) of Argentina's Justice Ministry, to support efforts to provide technical assistance to Member States with reduced data registration and collection

[3] CTOC/COP/WG.6/2014/2.

capacity. For this purpose, UNODC is currently evaluating the suitability of several data registration and tracing software applications, with a view to enabling the recording of information on seized firearms and ammunition, as well as the sending and receiving of tracing requests, internationally.

52. Of equal importance is the ongoing assessment for the provision of firearms marking machines to interested Member States, without which the collection of data on tracing would simply not be possible.

Cooperation with civil society

53. UNODC included representatives of civil society organizations (CSO) in the implementation of the GFP. In the framework of the legislative cluster of activities, UNODC initiated cooperation with the Parliamentary Forum on Small Arms and Light Weapons, to promote greater awareness on the Firearms Protocol and their respective legislative reform processes. The UNODC and the Parliamentary Forum have also developed a joint project proposal for submission to potential donors to complement their cooperation with more tailored awareness-raising and capacity-building events for national and regional parliaments in South America and Africa.

54. Furthermore, upon invitation by the Parliamentary Confederation of the Americas (COPA), UNODC participated in the General Assembly Meeting in October 2012 in Brasilia, Brazil, and delivered a presentation on the Firearms Protocol and the linkages with the ATT and their broader implications for law makers.

55. In West Africa, UNODC met on several occasions with the national chapters of the West African Action Network on Small Arms (WAANSA), and placed specific emphasis on the need to support, through the project, the civil society groups in Mauritania, which were not part of any regional and international CSOs networks.

56. In South America, UNODC has worked with the Latin American Coalition against Armed Violence (CLAVE), and coordinated the participation of civil society organizations from participating countries in the regional seminar held in Buenos Aires in June 2012. UNODC has also established a close cooperation with the Brazilian NGO Viva Rio, to develop specialized training modules and a dedicated training course for CSOs, and to actively participate in national training activities.

57. UNODC worked with CSOs representatives from Argentina, Bolivia, Brazil, Burkina Faso, Chile, Mauritania, Paraguay, Senegal and Uruguay on specific issues related to the national legislation on firearms. In particular, UNODC organized meetings in South America with representatives from the Network for Disarmament (Argentina), Viva Rio (Brazil), IELSUR (Uruguay), CIJEP (Bolivia), Amnistía (in Chile and Paraguay). UNODC was in contact with SERPAJ-E (Ecuador) and ISDHI (Peru), who have participated in the regional seminar on legislative harmonization, organized by UNODC in June 2012.

58. Representatives of the relevant CSOs participated in the training course on investigation and prosecution of firearms trafficking, organized by UNODC in October 2013 in Ghana, Senegal and, in March 2014, in La Paz, Bolivia.

D. Technical assistance for the implementation of the Firearms Protocol

1. Implementation of firearms collections and destruction campaigns

59. In May 2012, UNODC participated in the destruction of 1,045 firearms in the framework of the "National Voluntary Surrender of Firearms Program" established by Argentina in 2007. Both Argentina's and Brazil's experience have been widely acknowledged as good practices by other Latin American countries, several of which have requested support from UNODC to develop similar national collection campaigns and to implement cost effective disposal methods for firearms and explosives, based on the experiences and lessons learned from other countries in the region.

60. During the regional seminar on legislative harmonization in July 2012 in Buenos Aires, representatives from Argentina and Brazil shared their experiences on the development of national arms collection and voluntary surrender programmes. As a result, UNODC was requested to assist and advise several countries in the region in the development of national campaigns for the voluntary surrender, collection, management and disposal of such firearms, and to assist them in the identification of the most suitable and cost-effective destruction method according to their specific national context and possibilities. UNODC was also contacted by Ecuador to provide support in the design of a comprehensive national campaign.

61. Under the Sahel component of the GFP, UNODC received funding from the Government of Japan for the implementation of collection and destruction campaigns in two Sahel countries. In March 2014, UNODC undertook needs assessment for the development and implementation of awareness-raising campaigns for the voluntary surrender of firearms in Niger, and, subsequently, for the destruction of the collected firearms and the seized illicitly-trafficked firearms. These activities will be implemented jointly with the national commission on small arms and other relevant international partners.

62. UNODC is in the process of drafting a joint workplan with the National Commission on Small Arms of Senegal for the implementation of firearms collection and destruction activities in the country.

2. Increased security and effective record keeping for firearms, in particular seized ones

63. The Working Group also recommended to the Conference to urge States parties to adopt measures and standard procedures within their domestic legal systems for seizing, identification, confiscation and destruction of illicitly manufactured and trafficked firearms, their parts and components and ammunition, including appropriate record keeping of seized, confiscated, destroyed or deactivated firearms.

64. UNODC focused on the development of proposals for enhancing the security of storage rooms for seized firearms within the police services, courts and institutions involved in the investigation of firearms offences. UNODC discussed specific assistance needs in this field with various countries in West Africa and South America, in particular the adoption of secure standard operating procedures

for seized and confiscated firearms, and their secure and safe management and final disposal.

65. In Africa, a joint proposal for funding was prepared with UNREC, the regional centre of the United Nations Office for Disarmament Affairs for Africa, based in Lome, Togo, for strengthening the criminal justice response in the Sahel region to firearms trafficking and providing technical assistance in small arms and light weapons (SALW) control. This proposal will further expand the activities of UNODC in the Sahel region for providing increased security for the storage of seized firearms within law enforcement agencies.

66. In South America, UNODC could build on Argentina's accumulated experience in the development and management of integrated record-keeping systems, to promote and facilitate direct south-to-south cooperation between Argentina and Bolivia, and to assist the latter in the development of a national registry for firearms, in line with the recently adopted firearms law Nr. 400 of 2013. UNODC will support this process through its GFP, and provide, where required, accompanying technical support and legislative advice for the regulation and implementation of the national firearms regime.

67. UNODC is in the process of exploring the development of a record-keeping solution for seized firearms with interested international organizations and State parties, which will allow for better accountability and increase the capacity of national authorities to monitor and analyse information about firearms trafficking.

3. Support for marking of firearms

68. Since 2012, UNODC and UNODA share information about their activities in West Africa, and identify complementary areas in the implementation of activities related to marking. UNODC and UNODA coordinated their activities for the identification of countries to receive marking machines and training in 2014-2015. The two organizations will provide assistance in order to incorporate existing obligations for import marking in domestic legislation and development of standard operational procedures for marking of firearms.

IV. Coordination and cooperation with international and regional partners

A. Cooperation within the United Nation

69. UNODC participated in several inter-agency initiatives on firearms and continues to cooperate with relevant organizations and entities with the aim of strengthening partnerships, promoting the Firearms Protocol and advocating for more integrated approaches to firearms control matters.

1. Inter-agency initiatives

70. UNODC continued its participation and contributions to the work of the Coordinating Action on Small Arms (CASA), which is the United Nations system-wide coordination platform established by the Secretary-General to promote exchange of information and coordination on ongoing initiatives. It is composed of

22 United Nations bodies, working from different angles on the prevention of armed violence and mitigation of the impact of small arms and light weapons (SALW) on societies, communities and individuals, through their specific field of action. Through CASA, UNODC provided regular information to all CASA partners on UNODC's activities and on the work of the Conference of the Parties. In addition, CASA produced joint statements and reports, to which UNODC has substantively contributed.

71. UNODC provided further inputs to the process of development of ISACS within the CASA Reference Working Group. The development of the standards has reached its final stage and the current focus is on the legislative and regulatory modules.

2. Cooperation with other United Nations entities

72. UNODC closely coordinated the delivery of technical assistance and capacity-building activities in West Africa through regular meetings at senior management and expert levels. An example of successful cooperation is the development of a joint proposal for addressing the trafficking in firearms and small arms control issues in the Sahel region.

73. In the framework of the implementation of the GFP, UNODC coordinates its field activities with the relevant regional and national offices of the United Nations Development Programme through regular meetings, updates and invitations to participate in the events organized by UNODC.

B. Cooperation with other international and regional organizations

1. European Union

74. UNODC maintained close cooperation with the European Union (EU) in a number of subject areas. The EU is currently one the major donors to UNODC's work on firearms. UNODC maintained regular contacts with various services of the EU, both at Headquarters (HQ) level and with its Delegations. UNODC always extended invitations to EU HQ and EU delegations to participate in its activities and provided regular briefings on the progress of the implementation of GFP.

75. In 2013, the EU adopted a new Multi-Annual Strategic Plan, which identified the illicit firearms trafficking as a major priority for EU members. Enhanced dialogue took place between UNODC and the EU to streamline their respective areas of work, and to coordinate, where possible, their work, with regard to the comprehensive firearms study, or in promoting legislative harmonization, including criminalization of the offences contained in the Firearms Protocol.

2. International Criminal Police Organization (INTERPOL)

76. INTERPOL and UNODC are currently implementing, with the financial support of the European Union, two separate but complementary projects on firearms in similar countries and regions, which have provided fruitful grounds for enhanced cooperation. UNODC received contributions from INTERPOL for the development of two modules of the firearms training curriculum.

77. Furthermore, UNODC invited INTERPOL's representatives to participate as experts in the training course on investigation and prosecution of firearms trafficking in Ghana and Senegal in October, 2012, and in La Paz in March 2014. Together with OSCE and UNODA, UNODC and INTERPOL also organized the first joint conference on marking and tracing in May 2013.

3. Regional organizations and networks

Mercado Común del Sur (MERCOSUR) and ECOWAS

78. UNODC has established cooperation with the Working Group on Firearms and Explosives of MERCOSUR, in order to mutually support the implementation of the Protocol and strengthen and support ongoing harmonization in the region. UNODC attended the Working Group Meetings, maintained regular contact with MERCOSUR's officials, and discussed forms of cooperation between the two organizations to contribute to strengthening the Working Group as a regular platform for cooperation and information exchange on firearms-related issues.

79. UNODC maintained regular contacts and invited officials from the Secretariat of the Economic Community of West African States (ECOWAS) to its events in West Africa.

Organization for Security and Cooperation in Europe (OSCE)

80. UNODC and OSCE have multilevel cooperation within the area of fighting illicit firearms: both organizations have supported each other in developing their policy documents and mandates and have regularly consulted with each other during the elaboration of their technical tools on implementation, with the goal of ensuring consistency and synergy of available resources.

81. In May 2013, UNODC and OSCE further substantiated their cooperation by jointly planning and organizing a regional conference on Tracing Illicit Firearms to promote practical solutions on this issue among the OSCE Member States.

82. In July 2013, the OSCE was invited to participate in the Firearms Expert Group Meeting on the development of a training curriculum on firearms. The OSCE invited UNODC to deliver a presentation at the Asian Contact Group meeting, in November 2013 and address the Forum for Security Cooperation (FSC) in March 2014. UNODC and OSCE experts held regular consultations on their current activities and kept each other apprised of their plans.

V. Proposed recommendations and activities to promote and support the ratification and implementation of the Firearms Protocol

83. The Working Group may wish to consider ways of ensuring sustained financial and technical assistance to implement the recommendations and proposed activities reproduced below, especially by providing assistance to countries in post-conflict situations and least developed countries.

84. The Working Group may wish to consider the recommendations and proposed activities provided below for possible inclusion in the report on the activities of the

Working Group to be presented to the Conference for its consideration, in accordance with resolution 6/2.

A. Recommendations

85. The Conference may wish to urge Member States that have not yet done so to ratify or accede to the Firearms Protocol.

86. The Conference may wish to urge States Parties to strengthen their criminal legislation and to introduce the criminal offences envisaged in the Firearms Protocol, including appropriate sanctions that are commensurate with the nature and gravity of the offence.

87. The Conference may wish to urge States parties to strengthen national capacities to conduct investigations and prosecutions involving firearms and their links to organized crime.

88. The Conference may wish to urge States parties to establish national monitoring mechanisms to regularly collect and analyse firearms data and to facilitate the sharing of knowledge and expertise on firearms specific topics among relevant services.

B. Activities proposed by the United Nations Office on Drugs and Crime

89. UNODC should produce an annual study survey on firearms trafficking based on the information provided by States on seized firearms, and provide, to this end, technical assistance to countries requiring such support in order to participate in the study.

90. UNODC should organize at least three regional and three national pre-ratification workshops in regions with low ratification levels and for countries interested in exploring the possibility of becoming a party to the Protocol.

91. UNODC should intensify the provision of specialized training and capacity-building activities to States on the investigation and prosecution of firearms-related offences and the application of the Organized Crime Convention for this purpose.

92. UNODC should promote information exchange through regular training workshops at national, regional and cross-regional level on international cooperation in criminal matters.

93. UNODC should facilitate the establishment of regional networks of specialized firearms experts to facilitate the exchange of information and experience with regard to the investigation and prosecution of firearms trafficking cases and their links to organized and other serious crimes.

94. UNODC should continue to develop, as appropriate, relevant technical assistance tools on firearms.